

REMARKS

In the Office Action of October 19, 2005, claims 1-20 are pending. Claims 1, 14, and 15 are independent claims from which all other claims depend therefrom. Claims 1, 14, and 15 are herein amended.

The Office Action states that claim 1 is objected to because of an informality reason. Specifically, the term "isaid" should be "said". Claim 1 is herein amended accordingly.

The Office Action states that claims 1-20 stand rejected under 35 U.S.C. 102(b) as being anticipated by Kokubu et al. (U.S. Pat. No. 5,745,026).

Amended claim 1 recites an active keyed locking system for a vehicle that includes a keyed actuated device. A non-mechanically operated position sensor is proximate to the keyed actuated device and generates a position signal indicative of the position of the keyed actuated device.

Kobuku discloses a vehicular communication system that includes an ignition cylinder 15 with an antennae 16 and a key 1. When the key 1 is inserted into the ignition cylinder 15 an identification code stored on the key 1 is transmitted to a receiver via the antennae 16. The key 1 is prevented from rotating during transfer of the identification code. When the identification code is approved the key 1 is permitted to rotate to mechanically switch or engage an ignition switch 18 and activate the engine of a corresponding vehicle.

The Office Action states that Kobuku teaches a position sensor that monitors the position of the ignition switch 18 and refers to the microcomputer 17 that monitors the position of the ignition switch 18. Applicants submit that the ignition switch 18, unlike the ignition switch claimed, is a mechanical switch, as evidenced by Figures 4 and 6 of Kobuku and the operative description associated therewith. The ignition switch 18 of Kobuku is mechanically coupled to and actuated via a rotor 34, a camshaft 35, a cam 37, and a protuberance 36.

In order for a reference to anticipate a claim the reference must teach or suggest each and every element of that claim, see MPEP 2131 and *Verdegaal*

Bros. V. Union Oil Co. of California, 814 F.2d 628. Thus, since Kobuku fails to teach or suggest each and every element of claim 1, it is novel, nonobvious, and is in a condition for allowance. Also, since claims 2-13 depend from claim 1, they too are novel, nonobvious, and are in a condition for allowance for at least the same reasons.

Amended claim 14 recites an ignition enabling system for a vehicle that includes a key having a transponder and a lock assembly. A position sensor senses position of the key, in response to a change in an electric field proximate the lock assembly, and generates a position signal indicative of the position.

As stated above, Kobuku discloses the sensing position of the key 1 via a mechanically operated ignition switch 18. When the switch 18 or an element thereof is mechanically rotated to different positions a switch signal is received by the microcomputer 17 indicating position of the key. Kobuku fails to teach or suggest the sensing of position of the key 1 in response to a change in an electric field proximate a lock assembly. In Kobuku the data transmitted from the key 1 to the antennae 16 contains an identification code. The microcomputer 17 does not detect position of the key in response to the received identification code, but rather from the switch signal from the ignition switch 18. Also, the key 1 does not alter an electric field proximate the ignition cylinder 15 for key position detection, but rather transmits an identification code signal to the antennae 16 for key authorization.

Thus, Kobuku fails to teach or suggest each and every element of claim 14. Claim 14 is, therefore, novel, nonobvious, and is also in a condition for allowance.

Amended claim 15 recites a method of enabling a vehicle component through the use of an active keyed locking system. A keyed actuated device is actuated. The position of the keyed actuated device is determined without physically contacting the key actuated device and a position signal is generated.

U.S.S.N. 10/604,534

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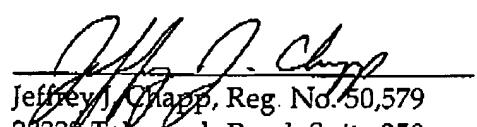
Since the ignition switch 18 of Kobuku is mechanically coupled to and actuated by the rotor 34 via the key 1, both the key 1 and the rotor 34 are in physical contact with the ignition switch 18. For examples of sensing position of and without physical contact with a key actuated device see the key actuated devices and position sensors shown in and described with respect to the embodiments of Figures 3-11 of the present application. Although all of the details of each embodiment of Figures 3-11 may not be explicitly claimed, note that all the above-recited limitations, which are shown in the stated embodiments, are not taught or suggested by Kobuku and thus the recited claims and associated embodiments are novel and nonobvious.

Thus, claim 15 and claims 16-20, which depend therefrom, are also novel, nonobvious, and are in a condition for allowance.

In light of the amendments and remarks, Applicants submit that all the rejections are now overcome. The Applicants have added no new matter to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

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Dated: January 9, 2006